

# Ng Ariss Fong, Lawyers

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January 20, 2023

## BY REGISTERED MAIL

Dr. Daniel Yoshio Nagase  
1038 Alice Birch pt N.  
Lethbridge, AB T1H 7B9

Dear Dr. Nagase:

### Re: Citation to Appear

I am counsel for the College of Physicians and Surgeons of British Columbia. Please find enclosed a citation for service upon you pursuant to s.37(2) and s.54(1)(a) of the *Health Professions Act* ("HPA").

Please note that the Citation includes the dates set for the discipline hearing, being February 21-24, 2023.

Further to my colleague's, Rachel Noble, email correspondence of November 4, 2022, we asked you to please contact us so that we may address the hearing with you. We also urged you to obtain legal advice by contacting the CMPA, a lawyer of your choice, or pro-bono service (<https://www.accessprobono.ca>). We urge you to contact us or if you obtain a lawyer, that your lawyer contact us.

Please take notice that under s.38(5) of the HPA, the hearing may proceed without you in the event you do not attend the hearing.

Sincerely,

NG ARISS FONG

Per:



 Lisa C. Fong, K.C.  
LCF/rn

Enclosure:

- Citation

Cc: College



**College of Physicians and Surgeons of British Columbia**

300-669 Howe Street  
Vancouver BC V6C 0B4  
[www.cpsbc.ca](http://www.cpsbc.ca)

Telephone: 604-733-7758  
Toll Free: 1-800-461-3008 (in BC)  
Fax: 604-733-3503

**CPSID 27215**

**IC2021-1608**

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**CITATION TO APPEAR**

**Section 37 of the *Health Professions Act*, RSBC 1996, c. 183 ("HPA")**

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To: Dr. Daniel Nagase  
1038 Alice Birch pt N.  
Lethbridge, AB V0H 1T0  
(via registered mail pursuant to HPA s. 37(2) and s. 54(1))

TAKE NOTICE that the Inquiry Committee of the College of Physicians & Surgeons of British Columbia (the "College") has directed me, the registrar, to issue a Citation under Section 37 of the *Health Professions Act* RSBC 1996, c.183 (HPA).

A Discipline Committee Panel will be appointed to conduct a hearing to inquire into your conduct, the circumstances of which are set out in the attached schedule, to determine if your conduct constitutes any matter set out under section 39(1) of the HPA.

AND FURTHER TAKE NOTICE that the Hearing will be held as follows:

Location: Virtually, subject to further order by the Discipline Committee

Dates: February 21-24, 2023

Time: 9:00 a.m.

Method: Electronic

If you are unavailable on the dates set for the hearing, you may apply in writing to request a change in the date.

AND FURTHER TAKE NOTICE that section 38(4.1) of the HPA entitles you to an outline of the anticipated evidence from each of the witnesses that will be called and an opportunity to inspect any documentary evidence at least 14 days prior to the hearing. Your rights relating to the hearing can be found in the HPA and the College Bylaws.

AND FURTHER TAKE NOTICE that hearings are open to the public except where the Discipline Committee Panel determines that the proceedings, in whole or in part, should be closed (s. 4-6(5) of the College Bylaws).

AND FURTHER TAKE NOTICE that at the hearing, legal counsel on behalf of the College will make submissions with respect to the appropriate action to be taken regarding your registration. This action that can be taken includes a reprimand, imposing limits or conditions on your practice, suspension or cancellation of your registration, or imposing a fine, pursuant to section 39(2) of the HPA.

**Non-Appearence by Respondent:** If you fail to appear at the date, time and place (or electronic platform) set for the hearing, the Discipline Hearing Panel is entitled to proceed with the hearing in your absence, pursuant to section 38(5).

The mailing address for the Discipline Hearing Panel for delivery is:

Attention – Discipline Hearing Panel  
College of Physicians and Surgeons of British Columbia  
300 – 669 Howe Street  
Vancouver, B.C., V6C 0B4

SIGNED



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**Heidi M. Oetter, MD**  
Registrar

DATE

January 20, 2023.....

## SCHEDULE

### Nature of alleged conduct to be inquired into:

1. Dr. Daniel Yoshio Nagase ("Dr. Nagase") is a family physician and former registrant of the College of Physicians and Surgeons of British Columbia.
2. On or about December 9, 2021, while a registrant, Dr. Nagase engaged in unprofessional conduct, and further or alternatively, contravened standards imposed under the *Health Professions Act*, including but not limited to the Canadian Medical Association's Code of Ethics and Professionalism (the "CMA Code"), by *inter alia*, making public addresses regarding the COVID-19 pandemic and related issues that included his making misleading, incorrect, or inflammatory statements about, *inter alia*, vaccinations, treatments, and measures for COVID-19, and on at least one occasion making these statements while appearing in front of effigies of political figures who were hung from nooses (the "Misconduct").
3. Without limiting the foregoing, and subject to further particulars, the Misconduct included the following (emphasis added):
  - a. publicly expressing that Ivermectin is a safe and effective treatment for COVID-19;
    - (1) [speech on Dec. 9, 2021, outside the BC legislature] "So, I'm here today because I dared to treat three COVID patients with ivermectin, **it's a safe and effective drug**. The good news, is that all three elderly patients who received ivermectin recovered from COVID and were discharged from the hospital";
    - (2) [speech on Dec. 9, 2021, outside the BC legislature] "This was in the two weeks that followed **my successful treatment of COVID with ivermectin**. But not only did they ban **a safe drug**, but the College of Physicians and Surgeons pushed a dangerous and ineffective injection, as the only path forward...."
  - b. publicly expressing that the COVID-19 vaccinations are dangerous, or making otherwise misleading, incorrect, or inflammatory statements;
    - (3) [speech on Dec. 9, 2021, outside the BC legislature] "This was in the two weeks that followed my successful treatment of COVID with ivermectin. But not only did they ban a safe drug, but the College of Physicians and Surgeons pushed **a dangerous and ineffective injection**, as the only path forward...."
    - (4) [speech on Dec. 9, 2021, outside the BC legislature] "Unfortunately, ignorance does exist. The College of Physicians and Surgeons pushed **a dangerous and ineffective injection** as the only path forward for **an unremarkable seasonal virus**; one with a greater than 99% survival rate."
    - (5) [speech on Dec. 9, 2021, outside the BC legislature] "I've worked since 2004. I have seen many flu seasons. The 2020 influenza season, even if you relabel it as a coronavirus pandemic, is no different. However the problem is even

greater than the medical licensing boards, pushing **the most dangerous injection in the history of vaccination**. [...] now, almost two years later freedom from imprisonment, a lockdown, comes only at the price of submitting to **an inhuman experiment**. A genetic tool that killed all the animals it was tested on when trialed with sars-coronavirus 1. It would be **unethical** to repeat that experiment again on animals, never mind people. And now, this **deadly RNA injection, this deadly scientific manipulation**, is the price for freedom. For free – for **being free from** being locked down by ignorant politicians. And **people who call themselves doctors** and health ministers”.

- (6) [speech for Doctors on Tour on Dec. 9, 2021, in Victoria BC] “...CNN actually admitted that COVID vaccines cannot prevent transmission. So why in the world are people supposed to take them? **If you have a 99.7% survival rate, this virus is less deadly than the seasonal flu**. Taking some kind of injection is not going to prevent transmission either. **The only reason to take this injection is to enrich Pfizer.**”
  - (7) [speech for Doctors on Tour on Dec. 9, 2021, in Victoria BC] “If you’ve already had COVID and then you take an injection...systemic side effects three times more common if previous COVID. So the vaccine is causing the immune system to overreact because the immune system is [inaudible] seeing the same problem that is successfully fought off before, reappear, and **that is possibly the most dangerous thing you can do**; to trick the body into thinking it wasn’t successful the first time.”
  - (8) [speech for Doctors on Tour on Dec. 9, 2021, in Victoria BC] “If you have successfully fought off COVID before, **the worst possible thing you could do to yourself is take this injection.**”
  - (9) [speech for Doctors on Tour on Dec. 9, 2021, in Victoria BC] “Now, the other issue here is what does a spike protein do to the body. Well in fact, **a spike protein can be highly toxic. Spike proteins inhibit DNA repair**...And remarkably, every single one of our cells has very highly efficient, highly effective DNA repair mechanisms, that can spot damage to DNA and repair it before it turns into cancer. And guess what protein stops the DNA repair, spike proteins.”
- c. making at least some of these public statements (e.g., outside the BC legislature) while appearing in front of effigies of political figures who were hung from nooses.